



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
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Paper No. 5

23538-39

William H. Dippert
Reed Smith, LLP
375 Park Avenue
New York, NY 10152

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AUG 07 2002

OFFICE OF PETITIONS

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DECISION ON PETITION OCT 22 2002

OFFICE OF PETITIONS

In re Application of
Hania et al..
Application No. 10/045,651
Filed: November 7, 2001
Attorney Docket No. 501010-20522

This is a decision on the petition filed May 30, 2002, requesting, in effect, that page 24 of the specification filed on May 30, 2002, be entered as part of the original disclosure.

The petition is **dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are NOT permitted. This is not final agency action within the meaning of 5 U.S.C. § 704.

The application was filed on November 7, 2001. On April 8, 2002, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s)" stating that the application had been accorded a filing date of November 7, 2001, and advising applicants that page 24 of the specification appeared to have been omitted.

In response, the present petition was filed. Petitioner alleges page 24 of the specification was filed with the original application.

The petition cites the existence of a return postcard receipt stamped by the USPTO, but a copy of the postcard has not been submitted. Petitioner may wish to submit a copy of the postcard receipt.¹

The current evidence fails to prove that page 24 of the specification was filed on May 24, 2002.

While petitioner apparently believes that page 24 was filed on November 7, 2001, the file of application No. 10/045,651 indicates that page 24 was not received, since no such paper is present in the file. The file contains the actual papers received and the file is an official government record prepared and maintained by disinterested USPTO employees as a part of their

¹ Evidence of receipt of any correspondence filed in the Patent and Trademark Office can be obtained by submitting a self addressed post card properly itemizing and identifying the paper or papers being filed. Upon receipt of the correspondence, the Patent and Trademark Office will check the listing on the post card against the papers submitted, making sure that all items listed are present and will then stamp the postcard with an Official date stamp and place the post card in the outgoing mail. "A post card receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO." M.P.E.P. § 503.

DOCKET

DUE OCT. 7, 2002 Request for Reconsideration

customary and usual duties. An applicant alleging that a paper was filed in the USPTO and later misplaced has the burden of proving the allegation by a preponderance of the evidence. In this regard, declarations by individuals involved in the preparation and filing of the original application reciting their personal recollection or belief of what was contained in the application that they reviewed are generally not more persuasive of what was actually filed in the USPTO than the contents of the application file. The declaration does not have more probative value than the official government record of what was actual received in the USPTO on November 7, 2001.

Petitioner requests that, if the petition is not granted, page 24 be deemed to have been deposited as of the filing date of the petition. Is petitioner requesting relief under 37 CFR 1.182 whereby the page will become part of the original application and the entire application will be given a filing date of May 30, 2002? If petitioner wishes to add the drawing without changing the application's filing date then such addition must be by way of an amendment or by filing a request for reconsideration with proof, such as a postcard receipt, that page 24 was submitted with the original application.

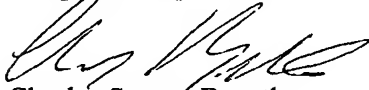
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
Box DAC
Washington, D.C. 20231

By facsimile: (703) 308-6916
Attn: Office of Petitions

By hand: Office of Petitions
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
Arlington, VA 22202

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.



Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
085/02455Total Pages in this Submission
59**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

MULTI-LAYER PRINTED CIRCUIT BOARD FABRICATION SYSTEM AND METHOD

and invented by:

Amnon GANOT, et al.If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/792,498

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/708,160

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 32 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Microfiche Appendix *(if applicable)*
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings *(if drawings filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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OCT 22 2002
OFFICE OF PETITIONS**EL 432143315US**

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
085/02455

Total Pages in this Submission
59

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 17
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail *(Specify Label No.):* _____

**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
085/02455

Total Pages in this Submission
58

Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☐ Additional Enclosures *(please identify below):*

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
085/02455

Total Pages in this Submission
58

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	55	- 20 =	35	x \$18.00	\$630.00
Indep. Claims	6	- 3 =	3	x \$84.00	\$252.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,622.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
 - ☐ Credit any overpayment.
 - ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

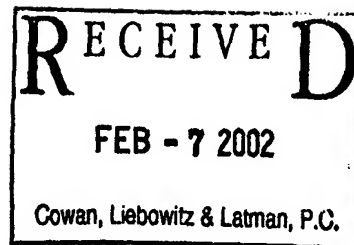
Paul Fenster

Signature

Dated: November 6, 2001

Paul FENSTER, Reg. No. 33,877

W.H. Dippert, c/o Cowan, Liebowitz & Latman
cc: 1133 Avenue of the Americas
New York, NY 10036-6799 Tel: (212) 790-9200



ROCKETED

Mailing Date: November 7, 2001
Attorney Ref. No. 23538.39

AI Commissioner for Patents
Washington, D.C. 20231

SE Applicant(s): Amnon Ganot, et al..
FI Serial No: to be assigned
FI Filed: to be assigned
ML For: MULTI-LAYER PRINTED CIRCUIT BOARD FABRICATION
SYSTEM AND METHOD

PL Please have the Mail Division stamp in the space provided and return this card as
OF acknowledgment of receipt of the following:

- Utility Application Transmittal form
- Specification, Claims, Abstract, and
- 17 Sheets of drawings
- Declaration and Power of Attorney (5-pgs - unexecuted)

1D STAMP DATE

10/04/01
11/07/01



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Dear Patent Practitioner,

The USPTO and the patent community have experienced considerable difficulties since mid-October 2001 due to delays in the delivery of mail by the US Postal Service. I want to assure you that the USPTO is making every effort to deal with this situation in ways that avoid any undue burden upon applicants. Over the last few weeks we have seen an increase in the volume of backlogged mail being delivered and we are working very hard to process this mail as quickly as possible. I ask that you bear with us during this challenge and work with us to the extent possible to minimize the impact of these mail delays.

Unfortunately the decontamination process has damaged some of the mail recently delivered to the USPTO. For example, some patent application papers and drawings including photographs have been stuck together and cannot be separated. Some computer discs have been damaged. Some labels have been blackened so that the text on them cannot be read and some papers have been yellowed and are brittle. The amount of damaged mail is small, about 5%, and the senders are being contacted to supply a duplicate when necessary. Additionally, no application is being held abandoned without us first calling the applicant to ensure that a reply has not been delayed in the mail.

I also understand that there has also been some concern from practitioners that outgoing mail from the Office may have been delayed in some instances. Currently, the USPTO is requesting that applicants follow the procedure set forth in Manual of Patent Examining Procedure (MPEP) 710.06 to establish a delay in receipt of mail if they want to request that the period for reply be reset.

Please consult the USPTO Internet web site (<http://www.uspto.gov>) for updated information on Technology Center facsimile numbers, surface mail alternatives, and other announcements concerning mail delays. Some notices related to the mail delays that have been recently posted on the USPTO web site are listed on the attached table. Section 511 of the MPEP will be revised to state that in the event of a postal emergency an announcement will be placed on the USPTO web site. Note also that the entry of a paper into an application file can be confirmed by checking the PAIR system via our Electronic Business Center on our web site.

Questions related to mail difficulties should be directed to the Office of Patent Legal Administration, by telephone at (703) 308-6906. Alternatively, the questions may be sent via e-mail to PatentPractice@uspto.gov.

Thank you for your continued cooperation as we deal with this difficult situation.

1/16/02
Date

Nicholas P. Godici
NICHOLAS P. GODICI
Commissioner for Patents

Enclosure: Table of Recent Notices

Table of Recent Notices on the USPTO Internet Web Site

<u>TITLE</u>	<u>Date</u>	<u>OG CITE</u>	<u>OG DATE</u>
Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays	12/20/01	1254 OG 92	1/15/02
Closing of the United States Patent and Trademark Office on Monday, December 24, 2001	12/13/01	1254 OG 61	1/8/02
Notice Concerning Deposit Account Replenishments	12/11/01		
Termination of the Suspension of the "Express Mail" Service of USPS for mail addressed to ZIP Codes 202xx through 205xx	12/5/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP codes 202xx though 205xx	11/20/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service	11/20/01	1253 OG 103	12/25/01
Mitigation of Delays in Mail Deliveries to the USPTO	11/9/01		
USPTO Tests Negative for Anthrax	11/5/01		
Patent Customers Advised to FAX Communications to USPTO	11/2/01		
United States Postal Service Interruptions and Emergency Terminated	10/26/01	1252 OG 104	11/20/01
Notice Concerning Safety of USPTO Mailings - Update	10/25/01		
Notice Concerning Safety of USPTO Mailings	10/23/01	1252 OG 19	11/6/01

Note: Where an Official Gazette cite or Official Gazette date field is blank in the table above, the notice has not yet been published in the Official Gazette.

The above list was excerpted from the list of patent-related notices that is posted on the USPTO Internet web site at: <http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>.